

1  
2  
3  
4  
5  
6 **STATE OF WASHINGTON**  
7 **OFFICE OF THE INSURANCE COMMISSIONER**  
8

9 *In the Matter of*

10  
11 **Victor M. Colin,**

12  
13  
14 **Licensee.**  
15

Order No. 14-0206

WAOIC No. 737510

NPN No. 13064560

16  
17 **CONSENT ORDER SETTING**  
18 **CONDITIONS FOR**  
19 **PROBATIONARY RESIDENT**  
20 **PRODUCER'S LICENSE**

21  
22 This Consent Order is entered into by the Insurance Commissioner of the state of  
23 Washington, acting pursuant to the authority set forth in RCW 48.17.060 and RCW  
24 48.17.530 and Victor M. Colin (Licensee).

25 **BASIS:**

26 1. Victor M. Colin (hereinafter "Mr. Colin") has been a Washington resident  
27 licensed insurance producer since December 2008. His license is set to expire November 6,  
28 2014. He accordingly is seeking renewal of his license.

29 2. RCW 48.17.090 requires an applicant for an insurance producer's license to  
30 submit the NAIC uniform application, which includes questions about the applicant's United  
States ("US") citizenship and proper work authorization. The applicant must provide proof  
of citizenship or proper work authorization.

3. During investigation of a complaint that alleged that Mr. Colin was not  
authorized to work in the US, the Insurance Commissioner's staff discovered Mr. Colin does

1 not have a Social Security Number ("SSN") since he is not a US citizen. Instead, he uses an  
2 individual tax identification number ("ITIN"), which resembles a SSN and which Mr. Colin  
3 entered in the SSN section of the Insurance Commissioner's application for licensure.  
4 However, an ITIN is for tax purposes only, and does not provide authorization to work in the  
5 US. Mr. Colin does not currently have any proper authorization to work in the US.

6 4. As a result of this investigation, the Insurance Commissioner's staff attorney  
7 Robin Aronson sent Mr. Colin a letter dated October 23, 2013, advising him that his license  
8 would not be renewed in November of 2014 unless he provided the OIC proof of citizenship  
9 or other documentation showing a right to work in the US. However, nearly a year later, Mr.  
10 Colin has neither secured his citizenship nor obtained proper work authorization.

11 5. Instead, Mr. Colin has been pursuing these goals through a method based on  
12 Mr. Colin's wife obtaining her US citizenship. Afterword, Mr. Colin will be able to use his  
13 wife's citizenship status to petition for his own permanent residency in the US, which will  
14 provide valid work authorization. Mrs. Colin is scheduled for an interview regarding her  
15 application for naturalization on October 6, 2014, and once a citizen, Mr. Colin will be able  
16 to apply for permanent residence without any further wait times, which is expected to be  
17 granted by mid-July 2015.

18 6. Mr. Colin's immigration attorney supported these representations in writing.  
19 The attorney also provided a September 16, 2014 letter in which she explains that this is the  
20 quickest way for Mr. Colin to obtain permanent resident status, and that there is no faster  
21 available method for Mr. Colin to obtain either temporary or permanent authorization to  
22 work in the US.

23 7. Under RCW 48.17.530(1)(a), the Insurance Commissioner has authority to  
24 revoke, suspend, or place on probation an insurance producer's license for providing  
25 incorrect, incomplete, or misleading information on the license application.

26 8. Mr. Colin's failure to obtain proper work authorization authorizes the  
27 Insurance Commissioner to issue his Producer's License on a probationary basis until he  
28 obtains proper authorization to work in the US.

1 **CONSENT TO ORDER:**

2 The Insurance Commissioner and Mr. Colin agree that the best interest of the public  
3 will be served by agreeing to resolve this matter upon such terms and conditions as are set  
4 forth below:

5 1. Mr. Colin acknowledges his duty to comply fully with the applicable laws of  
6 the state of Washington.

7 2. In consideration of Mr. Colin's desire to become licensed as a resident  
8 insurance producer in Washington, he consents to the entry of this Order, waives any and all  
9 hearing rights, and further administrative or judicial challenges to this Consent Order.

10 3. By agreement of the parties, the Insurance Commissioner will issue Mr. Colin  
11 a Probationary Insurance Producer's License for one year, on the conditions that:

12 a. The license issued to Mr. Colin will be a Probationary Insurance Producer's  
13 License under RCW 48.17.530. Under the terms of this probationary license, for the period  
14 of this license, if any administrative action is taken against any license Mr. Colin holds with  
15 any state, any action taken against Mr. Colin by FINRA, or if Mr. Colin is convicted of any  
16 criminal violation other than misdemeanor traffic violations, this probationary Washington  
17 resident license will be revoked.

18 b. Mr. Colin will diligently pursue his permanent residence in the United States.

19 c. Mr. Colin will provide monthly updates specifying how he is diligently  
20 pursuing his permanent residence in the United States, which shall include any such relevant  
21 documentation that the Insurance Commissioner's Licensing Compliance Analyst shall  
22 require. The updates and documentation shall be sent MONTHLY to:

23 Office of the Insurance Commissioner  
24 Attn: Cheryl Penn, Compliance Supervisor  
25 P.O. Box 40255  
Olympia, WA 98504-0255

26 As an alternative, the monthly updates and documents may be emailed to:

27 [CherylP@oic.wa.gov](mailto:CherylP@oic.wa.gov)

28 The monthly updates and documentation shall be received by the Insurance  
29 Commissioner no later than the 5<sup>th</sup> of each month.  
30

1 d. Under the terms of this probationary license, if Mr. Colin fails to provide  
2 updates and documentation as agreed, this probationary license will be revoked.

3 e. If Mr. Colin fails to obtain permanent residence or other valid work  
4 authorization within one year of the entry of this Order, the Insurance Commissioner may  
5 revoke, suspend, or refuse to re-issue his producer's license, or place the same on probation.

6 f. Mr. Colin will be eligible to obtain a full, non-probationary license when he  
7 obtains permanent residence or other valid work authorization in the US, and provides  
8 documentation thereof to the Insurance Commissioner.

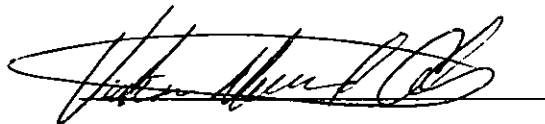
9 g. Mr. Colin agrees to notify the Insurance Commissioner immediately if he  
10 leaves his current employment.

11 h. Mr. Colin understands and agrees that any further failure to comply with the  
12 statutes and regulations governing the insurance and securities industries, or future  
13 conviction of a crime other than misdemeanor traffic violations, constitutes grounds for any  
14 further penalties which may be imposed in direct response to such further violations, in  
15 addition to the revocation of his probationary Washington resident insurance producer's  
16 license.

17 4. This Consent Order constitutes admissible evidence that may be considered in  
18 any future action by the Insurance Commissioner involving the Licensee. However, the fact of  
19 this Consent Order, and any provision, finding, or conclusion contained herein does not, and is  
20 not intended to, determine any factual or legal issues or have any preclusive or collateral  
21 estoppel effects in any lawsuit by any party other than the Insurance Commissioner, based upon  
22 any allegation, fact, or legal principle involved in this action.

23 EXECUTED this 26 day of October, 2014.

24  
25 VICTOR M. COLIN

26  
27   
28  
29  
30

1  
2 **AGREED ORDER:**

3 Pursuant to the foregoing factual basis and Consent to Order, the Insurance  
4 Commissioner of the state of Washington hereby orders as follows:

5 1. Mr. Colin shall comply with all of the conditions set forth above.

6 2. Upon receipt by the Insurance Commissioner of this signed Consent Order, a  
7 probationary Washington Resident Insurance Producer's license will be issued to Mr. Colin  
8 for the period of one year.

9 3. Mr. Colin shall comply with and carry out all applicable laws governing the  
10 insurance and securities industries in all states in which he does business, and will also  
11 comply with all criminal laws.

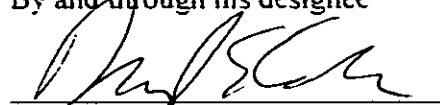
12 4. Mr. Colin's failure to comply with the terms of his probationary licensure  
13 shall result in the revocation of his Washington Resident Insurance Producer's license and in  
14 any other enforcement action which may be taken as a result of such further violation.

15 5. This Consent Order constitutes admissible evidence that may be considered in  
16 any future action by the Insurance Commissioner involving the Licensee. However, the fact of  
17 this Consent Order, and any provision, finding, or conclusion contained herein does not, and is  
18 not intended to, determine any factual or legal issues or have any preclusive or collateral  
19 estoppel effects in any lawsuit by any party other than the Insurance Commissioner, based upon  
20 any allegation, fact, or legal principle involved in this action.

21 EXECUTED this 9 day of November, 2014.

22  
23 

24  
25 MIKE KREIDLER  
26 Insurance Commissioner  
27 By and through his designee

28   
29 Darryl E. Colman  
30 Insurance Enforcement Specialist  
Legal Affairs Division